

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-27 are presently active in this case, Claims 1-7 and 10 having been amended and Claim 27 added by the present amendment.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by Ogino et al. (U.S. Patent Publication 2002/0029264, hereinafter called “Ogino”). Claim 2 is rejected under 35 U.S.C. § 103 as being unpatentable over Ogino and further in view of Lee et al. (Reference U of record, herein “Lee”). Claims 3 and 20-21 were rejected under 35 U.S.C. § 103 as being unpatentable over Ogino and further in view of Hoffmann et al. (U.S. Patent 6,389,096, herein “Hoffmann”). Claim 4 was rejected under 35 U.S.C. § 103 as being unpatentable over Ogino and further in view of Frigo et al. (U.S. Patent Publication 2003/0083568, herein “Frigo”). Claims 5-7, 10-12, 22 and 25-26 were rejected under 35 U.S.C. § 103 as being unpatentable over Ogino in view of Gagnon et al. (U.S. Patent 6,553,248, herein “Gagnon”) and Hoffmann. Claims 8 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ogino in view of Gagnon and Hoffmann, and further in view of He et al. (U.S. Patent 6,141,398), Hu et al. (U.S. Patent 5,430,783) and Okumura et al. (U.S. Patent 6,658,082). Claims 9 and 24 were rejected under 35 U.S.C. § 103 as being unpatentable over Ogino in view of Gagnon and Hoffmann, and further in view of He et al. Claim 13 was rejected under 35 U.S.C. § 103 as being unpatentable over Ogino in view of Gagnon and Hoffmann, and further in view of Kling et al. (U.S. Patent 6,907,099). Claims 14-19 were rejected under 35 U.S.C. § 103 as unpatentable over Ogino in view of Gagnon.

In light of the outstanding grounds for rejection, the claims have been amended to clarify the claimed invention and thereby more clearly patentably define over the applied prior art. To that end, the preamble of Claim 1 has been amended to refer to a --medical

imaging system--, consistent with the specification at page 10, lines 11-12. Additionally, the claims have been amended to accentuate that the formerly recited "photographing data" are --raw data or projection data--, likewise consistent with Applicants' original disclosure. Further clarifying changes are made, and none of the claim amendments are believed to raise a question of new matter.

Briefly recapitulating, Claim 1 is directed to a medical imaging system in which one medical imaging apparatus generates biological information, using raw data or projection data acquired by another medical imaging apparatus and using appended information generated by the other apparatus.

Claim 5 is directed to an X-ray computed tomographic system in which one X-ray computer tomographic apparatus generates biological information using raw data or projection data acquired by another X-ray computed tomographic apparatus, and appended information including a certain number of data acquisition element arrays.

Claim 14 is directed to a data managing system connected to first and second X-ray computed tomographic apparatuses via a network, wherein one of raw data and projection data is obtained in one apparatus and appended information including a number of data acquisition element arrays used when obtaining the raw data or projection data obtained in the one apparatus are stored and transmitted to another X-ray computed tomographic apparatus. Claim 20 is directed to a combination of such features and Claim 22 is directed to one of the computed tomographic apparatus by which one of raw data and projection data obtained in another X-ray computed tomographic apparatus are received with information including the number of data acquisition element arrays used when obtaining the raw data or protection data, and a reconstruction unit is configured to perform reconstruction based on the data and the appended information received.

In view of the clarifying amendments made to the independent claims, Applicants consider that the amended claims clearly patentably define over the cited prior art.

In particular, Ogino discloses a medical-image service method for performing a preset image process, using an image processing server 500, on a medical image transmitted from a certain device of a certain clinic via a network, then storing the processed image, and transmitting the stored image to the certain device of the certain clinic when there is a request to do so from the clinic. Namely, Ogino discloses a technique concerning the shared use of reconstructed image data. However, Ogino fails to disclose or obviate the claimed invention in several respects.

First, Ogino is directed to a technique for handling a medical image that is transmitted via a network and can be directly displayed without any intervening processing. In contrast, amended Claim 1 is directed to a medical imaging system in which raw data or projection data that is transmitted via a network and cannot directly be displayed as an image, is then transmitted to another imaging apparatus, and processed at that other imaging apparatus.

Secondly, in Ogino, a single device transmits a medical image to the image processing server 500 via the network, and receives a medical image from the server 500. In contrast, according to amended Claim 1, one medical imaging apparatus transmits raw data or projection data to a data managing system via a network, and another medical imaging apparatus receives the raw data or projection data from the data management apparatus via the network.

In addition, amended Claim 1 also specifies a structure for transmitting appended information necessary to generate biological information (e.g. an image), as well as raw data or projection data, and generating biological information based on the raw data or projection data and the appended information. Such structure as claimed is neither disclosed nor

obviated by Ogino. Accordingly, in view of these distinctions, it is respectfully submitted that amended Claim 1 certainly is neither anticipated nor obviated by Ogino.

Furthermore, in Ogino, it is not necessary to transmit, between devices, appended information necessary to generate image data. This is because in Ogino, the data transmitted between devices is merely a medical image that can be directly displayed without any intervening processing, and a single device transmits a medical image to the image processing server 500 via the network, and receives a medical image from the server 500. Thus, according to Ogino the transmission of the appended information related to a photographing condition is not necessary and is irrelevant, so that Ogino clearly provides no motivation to transmit appended information. Accordingly, even if Ogino is combined with Hoffman and/or Gagnon, the combined teachings of these references, uninfluenced by the hindsight application of the teachings of Applicants' invention, do not obviate the subject matter of amended Claim 1, or the remaining independent Claim 5, 14, 20 or 22. The remaining secondary references cited are also not believed to render the subject matter of the independent claims obvious, absent hindsight.

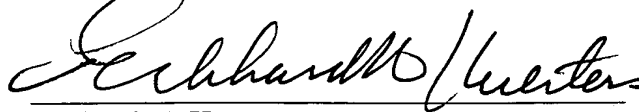
Consequently, in view of the present amendment, in light of the above discussion, the pending claims are believed to be patentably distinguishing over the applied prior art, and in

Application No. 10/722,417
Reply to Office Action of August 2, 2006

condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Eckhard H. Kuesters', written over a horizontal line.

Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)

I:\ATTY\EHK\24'S\246063\246063US-AM DUE 2-2-07.DOC